

EXHIBIT

8

ACTS

PASSED

AT THE REGULAR SESSION

OF THE

SIXTEENTH GENERAL ASSEMBLY

OF THE

State of Tennessee.

Printed by Authority.

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1825.

term of said court, for the trial of all chancery suits pending in said court, and shall, at such special term, have as full power and authority to make any rule, order or decree in any cause on the chancery docket of said court, as said court now has by the existing laws at a regular term thereof.

WM. BRADY,

Speaker of the House of Representatives:

R. C. FOSTER,

Speaker of the Senate:

Passed December 3, 1825.

CHAPTER CCXCII.

AN ACT, to amend an act passed at Murfreesboro' October 20, 1821, incorporating Winchester and Reynoldsburgh.

[SECTION 1.] *Be it enacted by the General Assembly of the State of Tennessee, That the inhabitants of the town of Reynoldsburgh and corporation, be in future known and distinguished by the name of the mayor and alderman of the town of Reynoldsburgh ; That should the sheriff of the county of Humphreys fail, or neglect to hold an election for mayor and aldermen for said town of Reynoldsburgh on the first Saturday in January, as provided by the act this is intended to amend, that said sheriff may, at any other time, by advertising ten days previously, and it shall be his duty, to hold an election for said mayor and aldermen, any law to the contrary notwithstanding ; and said mayor and aldermen, so elected, shall have and possess any and all the powers, that they would, if elected on said first Saturday in January.*

Sec. 2. *Be it enacted, That the corporation of the town of Reynoldsburgh shall include the following bounds ; to wit ; beginning at the north east corner of said town, running east so far that a line running directly south, will include the soldier's spring and westwardly, to the south east corner of the town ; then beginning at the south west corner, thence west to the Tennessee river, thence down the river at low water mark a northwardly course, so far that a line running east will strike the north west corner of said town.*

Sec. 3. *Be it enacted, That said mayor and al-*

dermen may, and shall, have power and authority to make any rules and laws regulating the police of said town and the inhabitants thereof, to re-
 strain and punish drinking, raming, fighting, breaking the sabbath, shooting and carrying guns, and enact penalties and enforce the same, so that they do not conflict or violate the constitution of this State, and are consistent with the laws of this State.

Power of the corporation.

SEC. 4. *Be it enacted*, That the mayor shall be elected in the same way that the intendent was heretofore elected under the act which this is intended to amend.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

Passed December 3, 1825.

CHAPTER CCXCIII.

AN ACT, for the relief of George Crocket.

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for George Crocket to file with the commissioner of land claims, a certificate copy of grant No. 3,383, which issued by the State of North Carolina to William White, for three hundred and fifty seven acres, dated the twelfth day of December 1801, together with a certificate copy of a grant of better title, covering part of said grant, No. 3,383 and should said commissioner be satisfied by a plat of interference, that said grant, No. 3,383 is interfered with, by a grant of better title, it shall then, and in that case, be the duty of said commissioner to issue a certificate for the quantity so taken, to said Crocket, which shall be located as other warrants are, south and west of the congressional reservation line.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

Passed December 3, 1825.

THE
LAWS OF WISCONSIN,

PASSED AT THE
BIENNIAL SESSION OF THE LEGISLATURE OF 1883,

RELATING TO
CITY CHARTERS AND THEIR AMENDMENTS,

VOLUME II.

PUBLISHED BY AUTHORITY.

MADISON, WIS.,
DEMOCRAT PRINTING CO., STATE PRINTERS.
1883.

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and upon such notice as is provided in respect to the issue of town bonds by sub-division 7, of section 776, of the revised statutes.

SECTION 7. No general law contravening the provisions of this act, shall be considered as repealing, amending or modifying the same, unless such purpose be expressly set forth in such law.

SECTION 8. This act is hereby declared to be a public act, and shall be liberally and favorably construed in all the courts of this state, and shall take effect as hereinbefore provided.

Approved March 30, 1883.

[No. 467, A.]

[Published April 10, 1883.]

CHAPTER 183.

AN ACT to revise, consolidate and amend the charter of the city of Oshkosh, the act incorporating the city, and the several acts amendatory thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

CHAPTER I.

CITY AND WARD BOUNDARIES.

SECTION 1. All that district of country in the county of Winnebago contained within the limits and boundaries hereinafter described, shall be a city by the name of "Oshkosh;" and the people now inhabiting, and those who shall hereafter inhabit within the district of country herein described, shall be a municipal corporation by the name of the "City of Oshkosh," and by that name capable of suing and being sued in all courts of law and equity.

SECTION 2. The territory included in the following boundary and limits shall constitute the city of Oshkosh, to-wit: Commencing at a point where the north line of section eighteen (18), town eighteen (18), range seventeen (17) east, intersects the shore of Lake Winnebago, running thence west along the section line and the continuation thereof, to the center of the Oshkosh and Winneconne highway; thence northwesterly along the center of said highway until it intersects the north line of fractional lot five (5), section ten (10), town eighteen (18) north, range sixteen (16) east; thence due west to the produced one-eighth ($\frac{1}{8}$) line run-

privileges in said board as other members thereof are entitled to, and shall be paid the same compensation for his services as may be paid to any other members of the board.

Mayor to be
member of
board of
review.

SECTION 20. The mayor shall be *ex officio* a member of the board of review, and shall receive the same compensation therefor as assessors.

Further duties
of officers.

SECTION 21. The common council shall have power, from time to time, to require further and other duties of any officer whose duties are herein prescribed, and to appoint such other officers as may be necessary to carry into effect the provisions of this act, and to prescribe their duties, and to fix the compensation of all officers elected or appointed by the common council. Such compensation shall, by resolution, be fixed at the time the office is created, or at the commencement of the year, and shall not be increased or diminished during the time such officer shall remain in office.

Penalty for
refusing to
deliver.

SECTION 22. All city officers at the termination of their office, shall immediately deliver to their successors in office all property, money, books, papers and effects of every description in their possession belonging to the city, or pertaining to the office they may have held; any person who may have held an office neglecting or refusing so to do shall forfeit and pay to the use of said city one hundred dollars (\$100), besides all damages caused by such neglect or refusal, and such successor may recover the possession of such books, papers and effects in the manner prescribed by the laws of the state for other officers.

Terms of pres-
ent officers.

SECTION 23. Nothing herein contained shall be so construed as to change or interfere with the term of office of any officer now holding office in said city, but the term of all such officers shall continue the same as if this act had not been passed.

CHAPTER VI.

COMMON COUNCIL — ITS GENERAL POWERS AND DUTIES.

Meeting of
common coun-
cil.

SECTION 1. The mayor and aldermen shall constitute the common council, and the style of all ordinances shall be: "The mayor and common council of the city of Oshkosh do ordain, etc." The majority of the aldermen elect shall constitute

a quorum. The common council shall annually meet on the second Tuesday of April, after the annual municipal election, at the council rooms in said city, and at such other times as they, by resolution, shall appoint. The mayor, or a majority of the common council, for any good reason, may call special meetings, by notice to each of the members, to be served personally, or to be left at their usual place of abode. The common council shall determine the rule of its own proceedings, and be the judge of the election and qualification of its members.

SECTION 2. At the first meeting of the common council, or as soon thereafter as may be, the following officers shall be appointed by the common council: President of the council, superintendent of schools, city attorney, city surveyor, chief engineer, chief of police and policemen, inspector of hay and wood for the city at large, and such other officers as the interest and welfare of the city may require.

Appointment
of officers at
first meeting.

SECTION 3. The common council shall have the control and management of all the finances and of all the property of the city; and shall likewise, in addition to the power herein vested in them, have full power and authority to make, enact, ordain, establish, publish, enforce, alter, modify, amend and repeal all such ordinances, rules and by-laws, for the government and good order of the city, for the suppression of vice and for the prevention of crime, and for the benefit or trade, commerce and health thereof, and as they shall deem expedient, declaring and imposing penalties, and to enforce the same against any person or persons who may violate any of the provisions of such ordinances, rules or by-laws; and such ordinances, rules and by-laws are hereby declared to be and have the force of law; provided, that they be not repugnant to the constitution and laws of the United States or of this state, and for the purposes shall have authority by ordinances, resolutions or by-laws:

General powers
of council.

1st. To manage and regulate the finances, and to regulate, preserve and dispose of the property, real and personal, belonging to the city.

Finances.

2nd. To adopt all legal and requisite measures for levying and collecting taxes and assessments.

Taxes.

3rd. To license, prohibit, regulate, tax and suppress the exhibitions of common showmen or

License of
shows.

dred dollars (\$100) for any offense against such ordinance.

52d. To regulate and control the construction of piers and wharves extending into Lake Winnebago and the Fox river in said city; and to prescribe and control the prices to be charged for pierage or wharfage thereon, and to regulate, prescribe and control the prices to be charged for dockage and storage within the city. Piers and wharves.

53d. To lease the wharving privileges of the Fox river, at the end of streets, upon such terms and conditions, and with such reservations as said city may deem best.

54th. To authorize the taking up, and to provide for the safe keeping and education, for such periods of time as may be deemed expedient, of all children who are destitute of proper parental care, and growing up in mendicancy, ignorance, idleness and vice. Indigent and destitute children.

55th. To authorize the arrest, fine and imprisonment, as vagrants, of all persons who, not having visible means to maintain themselves, are without employment, idly loitering or rambling about, or staying in groceries, drinking saloons, houses of ill fame or houses of bad repute, gambling houses, railroad depots, or fire engine houses; or who shall be found trespassing, in the night time, upon the private premises of others, or begging, or placing themselves in the streets, or other thoroughfares, or public places, to beg, or receive alms; also keepers, exhibitors or visitors at any gaming table, gambling house, house of fortune-telling, place for cock-fighting, or other place of device; and all persons who go about for the purpose of gaming, or watch-stuffing, or who shall have in their possession any article or thing used for obtaining money under false pretenses, or who shall disturb any place where public or private schools are held, either on week day or Sabbath, or places where religious worship is held. Vagrants.

56th. To regulate or prohibit the carrying or wearing by any person under his clothes, or concealed about his person, of any pistol or colt, or slung shot, or cross knuckles, or knuckles of lead, brass or other metal, or bowie knife, dirk knife, or dirk or dagger, or any other dangerous or deadly weapon; and to provide for the confiscation or sale of such weapon. Concealed weapons.

57th. To control and regulate the construction

sell or give to such person, or to any other person for him, any spirituous, ardent or intoxicating liquors of any kind whatever, the council may declare the license of such licensed person forfeited, and such person, or any other person who shall give, sell, buy or procure for such person any strong, ardent or spirituous liquors or beer, shall be liable to a penalty of twenty-five dollars (\$25), which shall be sued for and recovered, with costs, of such persons violating this section, in an action wherein the city shall be plaintiff, in the same manner as for the violation of city ordinances hereinbefore provided in this chapter.

REPEALING CLAUSE.

SECTION 40. All acts incorporating the city of Oshkosh, and amendatory to the city charter, are hereby repealed; and all acts and parts of acts inconsistent with and conflicting with the provisions of this act are hereby repealed; but the repeal of said acts and parts of acts shall not in any manner affect, injure or invalidate any contracts, acts, suits, claims or demands that may have been entered into, performed, commenced, or that may exist under, or by virtue or in pursuance of the said acts, or any of them, but the same shall exist and be in force, and carried out as fully and effectually to all intents and purposes as if this act had not been passed. Repealed.

SECTION 41. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1883.

[No. 141, S.]

[Published April 5, 1883.]

CHAPTER 184.

AN ACT to revise, consolidate and amend the charter of the city of Neenah, approved March 13, 1873, and the several acts amendatory thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

TITLE 1.

CITY AND WARD BOUNDARIES.

SECTION 1. All the district of country in the county of Winnebago contained within the limits and boundaries hereinafter described, shall be and Corporate name.

LOCAL ACTS
OF
THE LEGISLATURE

OF THE
STATE OF MICHIGAN

PASSED AT THE
REGULAR SESSION OF 1901

WITH AN APPENDIX



BY AUTHORITY

1901
WYNKOOP HALLENBECK CRAWFORD CO. OF LANSING, MICH.
STATE PRINTERS

falling due in such manner as merely to change but not increase the indebtedness of the city. Each bond shall show upon its face the class of the indebtedness to which it belongs and from what fund it is payable. ^{What bond to show.}

SEC. 2. Section four of chapter three of this act is hereby repealed. ^{Section repealed.}

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 469.]

AN ACT to amend section eight of title three, section sixteen of title six and section one of title fourteen of act number four hundred sixty-five of the local acts of eighteen hundred ninety-seven, entitled "An act to revise and amend the charter of the city of Saginaw as existing under an act entitled 'An act to annex the territory embraced within the city of East Saginaw to that of the city of Saginaw, and to consolidate the city of East Saginaw with Saginaw, under the name of the city of Saginaw; to specify and fix the boundaries of the consolidated city; to provide for the assuming and payment of the indebtedness and liabilities of the present cities of East Saginaw and Saginaw, and for the ownership of all their corporate property and rights; to define the corporate rights, powers and privileges of said city of Saginaw as so consolidated, and to repeal all acts inconsistent herewith,' and acts supplementary and amendatory thereof, and to repeal all acts and parts of acts inconsistent herewith."

The People of the State of Michigan enact:

SECTION 1. That section eight of title three, section sixteen of title six and section one of title fourteen of act number four hundred sixty-five of the local acts of eighteen hundred ninety-seven, entitled "An act to revise and amend the charter of the city of Saginaw as existing under an act entitled 'An act to annex the territory embraced within the city of East Saginaw to that of the city of Saginaw, and to consolidate the city of East Saginaw with Saginaw, under the name of the city of Saginaw; to specify and fix the boundaries of the consolidated city; to provide for the assuming and payment of the indebtedness and liabilities of the present cities of East Saginaw and Saginaw, and for the ownership of all their corporate property and rights; to define the corporate rights, powers and privileges of said city of Saginaw as so consolidated, and

^{Sections amended.}

to repeal all acts inconsistent herewith,' and acts supplementary and amendatory thereof, and to repeal all acts and parts of acts inconsistent herewith," be and the same are hereby amended so as to read as follows:

TITLE III.

Additional
powers of
council.

SEC. 8. The common council in addition to the powers and duties specially conferred upon them in this act, shall have the management and control of the finances, rights and interests, and all property, real and personal, belonging to the city, and make such orders and by-laws relating to the same as they shall deem proper and necessary; and they shall have the power within said city to enact, make, continue, establish, modify, amend and repeal such ordinances, by-laws and regulations as they may deem desirable within said city, for the following purposes:

Vice.

First. To prevent vice and immorality, to preserve peace and good order, to regulate the police of the city, to prevent and quell riots, disturbances and disorderly assemblages;

Disorderly
houses.

Second. To restrain and prevent disorderly and gaming houses, and houses of ill-fame, all instruments and devices used for gaming, and to prohibit all gaming and fraudulent devices, and regulate or restrain billiard tables and bowling alleys;

Liquors.

Third. To forbid and prevent the vending or other disposition of liquors and intoxicating drinks in violation of the laws of the State, and to forbid the selling or giving to be drunk any intoxicating liquors to any child or young person without the consent of his or her parents or guardian and to prohibit, restrain and regulate the sale of all goods, wares and personal property at auction, except in cases of sale authorized by law, and to fix the fees to be paid by and to the auctioneers;

Auctions.

Exhibitions.

Fourth. To prohibit, restrain, license and regulate all sports, exhibitions of all natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses or other public performances and exhibitions for money;

Nuisances.

Fifth. To abate or remove nuisances of every kind, and to compel the owner or occupant of any grocery, tallow-chandler shop, butcher's stall, soap factory, tannery, stable, privy, hog pen, sewer or other offensive or unwholesome house or place, to cleanse, remove or abate the same from time to time, as often as they may deem necessary for the health, comfort and convenience of the inhabitants of the city. To compel the owner, lessee or agent to remove buildings that are liable to fall by reason of being burnt, decayed or not properly erected;

Dangerous
buildings.

Location
of slaughter
houses.

Sixth. To direct the location of all slaughter houses, markets and buildings for storing gunpowder or other combustible materials, and to regulate the manner of keeping the same;

Seventh. To regulate, restrain or prohibit the buying, selling, carrying and using of firearms, weapons, gunpowder, fire-crackers or fireworks, manufactured or prepared therefrom, or from other combustible material, and the exhibition of fireworks, and the discharge of firearms, and the lights in barns, stables and other buildings, and to restrain and prohibit the making of bonfires in streets, yards, alleys and other public places; Firearms, combustibles, etc.

Eighth. To prevent the encumbering of streets, sidewalks, crosswalks, lanes, alleys, bridges, aqueducts, wharves or slips in any manner whatever; Encumbering streets.

Ninth. to prevent and punish horse racing and immoderate riding or driving in any street, and to authorize the stopping and detaining of any person who shall be guilty of immoderate riding or driving in any street; and to prevent any person from leaving a horse or horses or other animal standing upon the streets of said city without being securely tied, held or fastened so as to prevent their escape; Horse racing.

Tenth. To determine and designate the routes and grades of any railroad to be laid in said city, and to regulate the use of locomotives, engines and cars upon the railroads within the city; to compel such railroads to erect and maintain safety gates at street crossings; Railroad grades, etc.

Eleventh. To regulate, restrain or prohibit bathing in any public water, and to provide for (cleansing) cleaning Saginaw river of driftwood and other obstructions; Bathing, etc.

Twelfth. To restrain and punish drunkards, vagrants, mendicants, street beggars and persons soliciting alms or subscriptions for any purpose whatever; Drunkards, vagrants, etc.

Thirteenth. To establish one or more pounds, and to restrain, regulate or prohibit the running at large of horses, cattle, swine and other animals, geese and poultry, and to authorize the impounding and sale of the same for the penalty incurred and the cost of their keeping and impounding; Pounds.

Fourteenth. To regulate or prevent the running at large of dogs; to impose taxes upon the owners of dogs and to punish dog fights and those engaged in aiding and abetting the same, in the streets and elsewhere in said city. To provide for the issuing of licenses to the owners and keepers of dogs, and to compel the owners and keepers thereof to pay for and obtain such licenses; to require them to be muzzled and to authorize the killing of dogs not licensed or running at large in violation of the ordinances of the city; and to authorize the killing of dogs impounded, which shall not be redeemed within the time prescribed by the ordinance regulating the same; Dogs.

Fifteenth. To prohibit any person from bringing and depositing within the limits of said city any dead carcass or other unwholesome or offensive substance, and to require the removal and destruction thereof, if any person shall have on his premises such substance or any putrid meats, fish, hides Carcasses, etc.

- or skins of any kind, and on his default to authorize the removal or destruction thereof by some officer of the city;
- Sidewalks.** Sixteenth. To compel all persons to keep sidewalks in front of premises owned or occupied by them clean from snow, dirt, wood and all other obstructions;
- Bells, whistles, etc.** Seventeenth. To regulate or prohibit the ringing of bells, blowing of steam whistles, and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises in the streets and elsewhere in said city;
- Burials.** Eighteenth. To regulate the burial of the dead and to compel the keeping and return of bills of mortality;
- Markets.** Nineteenth. To establish, order, and regulate markets, to prohibit the forestalling the same, to regulate the vending of wood, meats, vegetables, fruit, fish, and provisions of all kinds, and prescribe the time and place for selling the same, and the fees to be paid by butchers for license: Provided, That nothing herein contained shall authorize the common council to restrict in any way the sale of fresh and wholesome meats by the quarter within the limits of the city;
- Proviso.** Twentieth. To establish, regulate and preserve public reservoirs, fountains, wells and pumps, and to prevent the waste of water;
- Reservoirs, etc.** Twenty-first. To adopt rules for the regulation of sextons and undertakers in burying the dead, to license and regulate solicitors for passengers or for baggage for the benefit of any hotel, tavern, public house, boat or railroad; also to license and regulate draymen, carmen, truckmen porters, runners, drivers of cabs, coupes, hackney coaches, omnibuses, carriages, sleighs, express vehicles, and vehicles of every other description used or employed for hire, and to fix and regulate the amounts and rates of their compensation;
- Solicitors for passengers.** Twenty-second. To regulate or prohibit runners, public porters, and all drivers of public conveyances for persons, from soliciting passengers or others to travel or ride in any public conveyance, boat, or upon any railroad, or to go to any hotel or elsewhere, and to license and regulate scavengers and chimney sweeps;
- Runners, porters, etc.** Twenty-third. Concerning the lighting of streets, alleys and public places, and the protection and safety of public lamps and lights;
- Street lighting.** Twenty-fourth. To license and regulate auctioneers, hawkers, peddlers and pawnbrokers; and to regulate auctions, hawking, peddling and pawnbrokerage, also the peddling and hawking of fruits, nuts, cakes, refreshments, jewelry, merchandise, goods, and other property whatsoever by hand, hand-cart, show-case, show-stands, or otherwise, in the public streets, also to license and regulate or suppress hucksters and bill posters;
- Auctioneers, peddlers, etc.** Twenty-fifth. To prescribe the duties of all officers appointed by the common council, and their compensation and the penalty or penalties for failing to perform such duties, and
- Duties of officers.**

to prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties, and the time for executing the same, in cases not otherwise provided for by law;

Twenty-sixth. To preserve the salubrity of the waters of Saginaw river, or other streams within the limits of said city, to fill up all low grounds or lots covered or partially covered with water, or to drain the same, as they may deem expedient, and to assess upon and collect from the lots or grounds so drained, or filled, the entire expense thereof; Salubrity of streams.

Twenty-seventh. To prescribe and designate the stands for carriages of all kinds which carry persons for hire, and for carts and carters, and to prescribe the rates of fare and charges, and the stand or stands for wood, hay and produce exposed for sale in said city; Stands for carriages.

Twenty-eighth. To prescribe the line upon which docks shall be built in Saginaw river, and beyond which they shall not extend, and to enforce the same by a fine not exceeding five hundred dollars, and to regulate such docks and to compel the owners or occupants thereof to keep the same in repair; Dock lines.

Twenty-ninth. To appoint so many harbor masters as they deem necessary, and to prescribe their powers, duties and compensations; Harbor master.

Thirtieth. To prescribe the duties of sealers of weights and measures, and the penalty for using false weights and measures, and all laws of this State in relation to the sealers of weights and measures shall apply to said city; except as herein otherwise provided; Sealer of weights, etc.

Thirty-first. To authorize the clerk to grant and issue licenses, and the mayor may revoke licenses as provided in section one, title four, of this act, in all cases when licenses may be granted under this act and the ordinances of the common council; Revocation of licenses.

Thirty-second. To prescribe the sum of money to be paid into the treasury of the city for every license which may be granted under this act and the ordinances of said city, also the time for which the licenses shall be granted; to require all licenses to be countersigned by the mayor; to require (of) any or all persons applying for a license, before the issuing thereof, the execution of a bond to the city in such sums as the common council may direct with one or more sufficient sureties, conditioned for the faithful observance of the charter and ordinances of the city, and otherwise conditioned as the common council may prescribe; License.

Thirty-third. To establish and maintain a public library, and to provide a suitable building therefor, and to aid in maintaining such other public libraries as may be established within said city by private munificence, as the common council may deem to be for the public good; Public library.

Thirty-fourth. To require all persons before constructing, altering or enlarging any building or other structure within Building permits.

the limits of said city, to obtain a permit therefor; and to regulate by ordinance the terms and conditions on which such building permits shall be granted and issued;

Lotteries. Thirty-fifth. To prohibit, prevent and suppress all lotteries for the drawing or disposing of money, or any other property whatsoever, and to punish all persons maintaining, directing or managing the same;

Telegraph poles, etc. Thirty-sixth. To regulate the putting up, taking down, repairing and maintaining of telegraph, telephone and electric light, power and electric street railway poles and wires;

Hotels. Thirty-seventh. To license and regulate the keepers of hotels, taverns, restaurants and other public houses, grocers and keepers of ordinaries, saloons and victualing, and other houses or places for furnishing meals or food; to restrain, license and regulate saloons, and to regulate and prescribe the location thereof;

Pawnbrokers. Thirty-eighth. To compel pawnbrokers, junk shop keepers and second-hand dealers to keep a list of all goods purchased or received by them in the way of a pledge or security, and to compel them to deliver a written list each day to the chief of police, upon blanks furnished them by the city.

TITLE VI.

Power of council relative to sidewalks.

SEC. 16. The common council shall have power to require the owners or occupants of any lands in said city to build, repair, keep in repair, and rebuild when necessary, all sidewalks in said city, and the common council may, by ordinance, prescribe the dimensions of all sidewalks, to be built in said city, and of what material the same shall be constructed, repaired or rebuilt, and in such ordinance may fix the time within which the owner or occupant of any lands in front of which any sidewalk is to be built, repaired, or rebuilt, shall build the same, and the common council may prescribe such penalty for violation of such ordinance as they may deem proper, not exceeding the amount limited by this act; and the common council shall also have power to prescribe by ordinance, the time and manner when property owners may pay for the construction and reconstruction of sidewalks and prescribe the rate of interest to be paid on all unpaid amounts.

TITLE XIV.

Recorder to succeed police judge.

SECTION 1. From and after the first Monday in April, A. D. nineteen hundred and two, being the date of the expiration of the term for which the present police judge was elected, the recorder shall have the authority and shall perform all duties connected with the office of police judge as authorized

GENERAL LAWS

OF THE

STATE OF IDAHO

PASSED AT THE SIXTH SESSION

OF THE

STATE LEGISLATURE.

WEISER, IDAHO.
WEISER SIGNAL PRINT.
1901

duties of mayor in the absence of the mayor. He shall be designated president of the council, and in the absence of the mayor from the city, or if he be, from any cause, unable to act, or in case of a vacancy in the office of mayor, said president of the council shall have and exercise the power and perform all duties of the mayor.

SECTION 37. The council of Boise City has full power and authority within Boise City:

First. To assess, levy and collect taxes for general municipal purposes, not to exceed ten mills on a dollar per annum, upon all property both real and personal, which is taxable by law for State or county purposes.

Second. To license, tax and regulate brokers, auctioneers, taverns, hawkers, peddlers, pawnbrokers, wash-houses, places of public amusement or entertainment, including theaters, operas, exhibitions, shows and the like, hotel and boarding house keepers, and runners, dealers in second hand articles of merchandise, the keeping of billiard tables, bowling alleys and shooting galleries, and for the purpose of this act, to define and declare what constitutes any of such professions, callings, employments or such places of amusement or entertainment.

Third. To license, tax and regulate livery or boarding stables, hacks, cabs, hackneys, carriages, wagons, carts, trucks, drays, or other vehicles used for transportation of persons or passengers, or goods, wares, or merchandise, earth, rock, building material or other articles, within the limits of the city, and prescribe the rates to be charged for such transportation.

Fourth. To license, tax, regulate, and restrain bar keepers, saloon keepers, dealers in (and manufacturers of) spirituous (vinous) or malt liquors are kept for sale, or in any manner disposed of, and the sale and disposal thereof; all offensive and dangerous trades, employments or businesses, and for the purpose of this act, to define and declare who is a bar keeper or dealer in spirituous, vinous or malt liquors, and what is a bar room, drinking shop or place where spirituous, vinous or malt liquors are kept for sale or disposed of; and what are offensive or dangerous trades, employments or business; but this subdivision does not empower Boise City to declare a trade, employment or business offensive or dangerous contrary to the common understanding of the subject, nor to authorize any one to do any act or engage in any business contrary

to the law of the land, and to require bonds to be given by the proprietor of the business mentioned in this subdivision, with sufficient sureties, conditioned not to keep, allow or permit a disorderly house, and to cancel and revoke any such license, in their discretion: *Provided*, That no State or county license shall authorize any person to engage in or conduct any business or anything in this or the two preceding subdivisions enumerated within said city unless a license is first obtained from said city council, and the council may provide a penalty therefor.

Fifth. To regulate license and suppress gaming and gambling houses, or places where any game in which chance predominates is played for anything of value, and to punish any person who engages in such game, or keep or frequent such houses; to regulate, prevent and suppress bawdy houses or houses of ill-fame or places where fornication is practiced and to punish any keeper and inmates thereof; to prevent and suppress opium smoking and houses or places kept therefor, or who shall vend or give away opium for the purpose of being smoked upon the premises, or who shall bargain for, buy, take or accept any opium in any house or place, to be smoked upon the premises, and to punish any keeper of such houses or place, or person who smokes therein or frequents the same; to tax, regulate, license, prevent and prohibit the sale of cigarettes, cigars, tobacco or any of them to minors.

Sixth. To make regulations to prevent the introduction of contagious diseases in the city, or to remove persons afflicted with such diseases therefrom to suitable hospital provided by the city for that purpose; to secure the protection of persons and property therein, and to provide for the health, cleanliness, ornament, peace and good order of the city; to regulate the plumbing and drainage of buildings and the use of steam boilers and steam generators, and to provide for the registration of the plumbers; and to make effectual such regulations as the council may deem it expedient to pass, by providing penalties for the breach of any of the provisions thereof; to make such sanitary regulations as to the council may seem proper.

Seventh. To provide for lighting the streets, parks, buildings, and other public places of the city, and furnishing the city with gas, electric or other lights, and for the erection, construction and maintenance of such works within or without the city limits as may be necessary or convenient therefor.

Eight. To prevent and punish trespassers upon real and personal property.

Ninth. To define what shall constitute vagrancy, and provide for the support, restraint, punishment and employment of vagrants and paupers; to prevent the sale, circulation and disposition of obscene literature, including books, papers, prints, pictures and the like, and to punish any person who sells or offers for sale, or who circulates or disposes of such literature, books, papers, prints, pictures and the like, and to define and declare from time to time what, if any, literature, books, papers, prints, pictures and the like are obscene within the purposes and province of this provision.

Tenth. To prevent and remove nuisances, and to declare what shall constitute the same, and to punish persons committing or suffering nuisances, and to provide the manner of their removal and to make the cost of such removal a lien upon the property where such nuisance existed; or to fill up or drain any lot, blocks or parcels of land where any stagnant water stands, and declare the same a nuisance and to make the cost of filling and draining the same a lien upon the property so filled or drained, which may be done and the cost thereof collected in the same manner as street improvements, the work of filling up or draining off such lots, blocks or parcels of land shall be performed by the street commissioners, and the cost thereof shall be collected in the same manner as the cost of making repairs is collected.

Eleventh. To define the fire limits; prohibit the erection or repair of wooden buildings within the fire limits, and to restrict and limit the height of buildings within the city; to provide for and determine the number and size of places of entrance and exit from all theaters, public halls, places of amusement, churches and other buildings used for public gatherings, and the modes of hanging doors thereat, and to regulate the plumbing and sewerage of all buildings within the city, and to require adequate fire escapes, apparatus and appliances for the protection against fire to be provided in such buildings and to prevent and prohibit the erection of dangerous and unsafe buildings, and to cause the removal or tearing down of the same wherever situated; to control and regulate the fire department, and to provide by ordinance for the officers thereof, and the election of unpaid officers by the

members of such fire department, and to define the duties of paid officers and to remove them from office for good cause shown.

Twelfth. To provide for the prevention and removal of encroachments and obstructions from the streets, sidewalks, crosswalks, alleys, avenues, lanes or other highways of the city, and for the cleaning and repairing of the same, and to compel owners, lessees, agents and occupants of lands abutting upon the streets to remove such obstructions and repair the said street, sidewalk, alley, lane or other highways of the city, and to punish such persons for refusing to so do.

Thirteenth. To provide for the establishment of market houses and places, and to regulate the location and management of market houses, hide houses and places, and to prohibit and regulate the location and management of slaughter houses and hide houses, and, in their discretion, to provide by ordinance for the location and existence of slaughter houses and hide houses, within three miles of the city limits, and to provide a standard of weights and measures and authorize an inspection of weights and measures and of food and fuel and prevent and prohibit the sale of unhealthful and unwholesome food, and to provide for the office of city weigher and measurer.

Fourteenth. To purchase sites for and provide for the erection of city jails, houses of correction, work houses and other public buildings, and for the government and management of the same, both within and without the city limits.

Fifteenth. To regulate the storage and sale of gunpowder, dynamite, giant powder, nitro-glycerine, oil and other combustible material, and prevent their manufacture in the city, and to prevent by all possible and proper means, danger or risks of injury or damage by fire arising from carelessness, negligence or otherwise.

Sixteenth. To restrain intoxication, fighting and quarreling and any disturbance or any unlawful or indecent practice and to define what shall constitute the same.

Seventeenth. To regulate and prohibit the use of guns, pistols and firearms, firecrackers, bombs and detonating works of all description.

Eighteenth. To prevent, restrain, and disperse any riot or riotous assemblage, or punish any person taking part therein.

ACTS AND RESOLUTIONS
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF GEORGIA

1902

COMPILED AND PUBLISHED BY AUTHORITY
OF THE STATE



ATLANTA, GA.
GEO. W. HARRISON, STATE PRINTER
The Franklin Printing and Publishing Company
1903

PART III.—TITLE 1.—MUNICIPAL CORPORATIONS.

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Forsyth, Charter Amended.

FORSYTH, CHARTER AMENDED.

No. 192.

An Act to consolidate and to codify the various Acts incorporating the city of Forsyth, in the county of Monroe, and the various Acts amendatory thereof; to enlarge by providing additional powers and authority therein; to more specifically define and fix the duties of the various officers of said city and their compensation, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That the Act incorporating the city of Forsyth, approved March 5, 1875, and the various Acts amendatory thereof, be amended by enacting the following in lieu thereof:

SEC. 2. Be it further enacted by the authority aforesaid, That from and after the passage of this Act the municipal government of the city of Forsyth shall be vested in a mayor and six aldermen, who are hereby declared a body corporate under the name and title of "the mayor and aldermen of the city of Forsyth," and by said name may sue and be sued, contract and be contracted with, hold and possess property, whether real or personal, whether within or without the limits of said city, by gifts, donations, lease or purchase, for the use of said city and the inhabitants thereof; have and use a common seal; and by said corporate name may lease, convey or sell whatsoever property they may have authority to sell; provided, the sale of no real estate within the limits of said city shall be confirmed until ratified by a majority of the legally qualified voters of said city voting at said election, at an election to be held under such rules and regulations as may be prescribed by the mayor and aldermen of said city.

SEC. 3. Be it further enacted by the authority aforesaid, That on the first Wednesday in December, 1903, and annually thereafter on the same day, there shall be an election for mayor and three aldermen for said city, at which election all male citizens of said city, who shall have resided within the county of Monroe for the period of six months immediately next preceding said election and within the limits of said city thirty days immediately preceding said election, and who may be entitled to vote for members of the General Assembly of this State, and paid all taxes required of them by said city which may be due, shall be entitled

to vote at said election; that said election shall be under the management and control of a justice of the peace, or a notary public *ex officio* justice of the peace and two freeholders, or all of managers shall be residents of said city; that said managers shall be elected by the mayor and aldermen of said city then in office; that the managers of said election shall appoint the necessary number of clerks and shall, together with said clerks, receive such compensation as may be agreed upon by the mayor and aldermen, not exceeding three dollars per day each; that the managers of election in said city shall take, before some officer authorized by law to administer oaths, or administer to each other the following oath: We do solemnly swear, or affirm, that we will faithfully perform the duties of managers of said election to the best of our ability; prevent illegal or fraudulent voting, without fear or favor; so help us God.

Results of
election,
how de-
clared.

SEC. 4. Be it further enacted by the authority aforesaid, That the managers of said elections shall give certificates of election to the persons receiving the highest number of votes for their respective offices, which certificate shall be recorded on the minutes of the mayor and aldermen of said city, and shall be held to be the highest evidence of the election of said officers; that any person voting illegally at said election shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the barracks of said city or the common jail of Monroe county not exceeding six months.

Official
terms.

SEC. 5. Be it enacted by the authority aforesaid, That the mayor and three aldermen to be elected on the first Wednesday in December, 1902, and to qualify for said offices on the first Friday in January, 1903, shall hold said offices for the terms to which they were respectively elected, viz.: The mayor for one year from the date of his qualification, and the aldermen two years from the date of their qualification aforesaid; that the three aldermen now holding office in said city whose terms will expire on the first Friday in January, 1904, shall hold their office until the expiration of their respective terms; that the successors of said aldermen shall be elected on the first Wednesday in December, 1903, in the manner provided in sections 3 and 4 of this Act; That any vacancies in the offices mentioned in this section caused by death or otherwise shall be filled in the manner hereinafter provided.

Vacancies.

SEC. 6. Be it further enacted by the authority aforesaid, That in the event of a vacancy in the office of mayor or aldermen for any cause, the remaining aldermen shall order an election to fill

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such vacancy, for the unexpired term, and notice of such election shall be advertised in two or more public places in said city, at least ten days before the date of such election, which election shall be conducted in the same manner and form as provided in sections 3 and 4 of this Act.

SEC. 7. Be it enacted by the authority aforesaid, That before entering upon the duties of the aforesaid offices the persons elected thereto shall take and subscribe to the following oath: We, ———, do solemnly swear that we will, to the best of our ability, discharge the duties of ——— for the city of Forsyth during our continuance in office; so help us God. Any person authorized by law, or the acting mayor of said city, shall administer said oath. That the mayor and aldermen and other officers provided for in this Act, that are elected at the annual elections as provided for in section 3 of this Act, shall hold the offices to which they are respectively elected for the following terms: The mayor one year from the first Friday in January succeeding his election, or until his successor is elected and qualified, and the aldermen two years from the first Friday in January succeeding their election, or until their successors are elected and qualified; that at each of said annual elections there shall be elected a mayor and three aldermen.

SEC. 8. Be it enacted by the authority aforesaid, That no person shall be eligible to the office of mayor of said city who has not been a resident thereof for one year or more continuously next preceding his election, and who has not attained the age of twenty-five years; that no person shall be eligible to the office of aldermen for said city who has not been a resident thereof for a like period and has not attained the age of twenty-one years.

SEC. 9. Be it enacted by the authority aforesaid, That the mayor and aldermen shall have power to open and improve new streets, upon the payment for the land appropriated for the same, according to the mode prescribed by the road laws of this State, and repair those already opened; to provide for such public buildings as may be necessary for the benefit of said city; and to have power to pass from time to time such ordinances, rules and regulations as may, in their discretion, be necessary to enforce this Act, and the laws of Georgia relative to municipal corporations, and to provide penalties for the violation. They shall have general and exclusive jurisdiction over the streets, alleys, byways, sidewalks, and the common and public squares of said city, and provide against obstructions thereupon; that they shall have power to lay therein such sewers or gutters or drains as may be necessary, and shall take all necessary and proper means for keeping the corporate

limits of said city free from garbage, trash and filth of all kinds. They shall have power summarily to abate all nuisances whatsoever, whenever, in their judgment, such nuisances are injurious to the health, comfort or convenience of the inhabitants, either with or without complaint against it; that they shall have power to regulate the running of locomotives run by steam, electricity or other power or other means used for transportation of the public; that they shall have power to provide against obstructions in the streets, alleys and sidewalks therein, and prevent the placing thereon any grass, stones, sticks, fruits, vegetables, cotton, merchandise or anything of like character calculated to cause injury or inconvenience to individuals or to make such streets unclean or prevent the free use thereof of the citizens of said city; that they shall have power to regulate public walks and wells, disorderly houses and houses of ill-fame within said city; prevent loud and boisterous conversation, loitering, quarreling and obscene language upon the streets and upon the campuses or grounds of either Monroe College or R. Banks Stephens Coeducational Institute, or any church or institution in said city; to provide for paupers living in and to prevent paupers being imposed upon said city; to provide by ordinances, regulation or otherwise for the paving of sidewalks on the streets within the fire limits of said city, and in said manner to provide for the levying of assessments against the owners of property abutting or fronting on the same to pay the cost of said pavement; to assess against each property-holder the cost of said pavement on which his property abuts, and to provide for the collection of assessments by the issuance of executions against said property-holders; to provide and regulate a taxation or license for all dogs running at large upon the streets or sidewalks of said city. They shall have power to make such regulations as they may deem proper relative to the storage, keeping or sale of gunpowder, dynamite or other explosives, or inflammable oils and other chemicals in said city; they shall have power and authority to enforce by proper ordinances the provisions of the State laws in regard to quarantine, and to prevent the coming into said city of persons or individuals, merchandise or goods of any character from cities or towns or communities of this State or from other States and countries infected with smallpox, yellow fever or any other dangerous, contagious or infectious disease, and to provide a punishment for violations of said ordinances; that said mayor and aldermen shall have power to enact by appropriate ordinances or resolutions for the accomplishment of all the purposes hereinbefore enumerated and for the punishment of offenders in relation to any of the matters aforesaid,

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and all ordinances or resolutions they may deem necessary for preserving the peace, health, good order and good government of said city, and to enforce all ordinances or resolutions by them adopted, not inconsistent with the laws of this State, and to punish any such person or persons who shall violate said ordinances or resolutions by fines not to exceed one hundred dollars, or imprisonment not to exceed fifty days, or work on the public streets of said city not to exceed sixty days, or any one or all, in the discretion of the mayor, mayor pro tem. or aldermen before whom the offender is tried. It shall be the duty of the police authority, or any one of them, that such ordinance has been violated, to arrest the person or persons whom they have reason to believe guilty of such violation, and as soon as convenient after such arrest to bring such person or persons before the mayor, or in his absence, the mayor pro tem., and in the absence of both, before a majority of the aldermen, who, when hearing the evidence concerning such violation, shall determine whether or not the persons so brought before him or them be guilty of such violation, and if found guilty the mayor or mayor pro tem., or a majority of the aldermen, as the case may be, shall adjudge what penalty shall be visited upon the person or persons so found guilty, and the police authority of said city shall execute such judgment. If it be not convenient for the police authority to bring such person or persons immediately before said triors, he or they may temporarily imprison such person or persons so arrested until such person or persons may be brought before the proper authorities for trial, provided, the temporary confinement shall not exceed twenty-four hours. In the event any such person or persons shall be dissatisfied with the judgment of the mayor or the mayor pro tem., he or they shall have the right to appeal to the mayor and aldermen at their next regular meeting, upon giving bond and good security for their appearance before said mayor and aldermen to abide the final decision in said case, and the mayor and aldermen, after hearing the evidence submitted, shall only have power to affirm or reverse the decision of the mayor or mayor pro tem.; the mayor, or in his absence, the mayor pro tem., or in the absence of both, a majority of the aldermen, shall have full power to compel the attendance of witnesses by attachment for contempt when they fail to appear in answer to the subpoenas served on them, and when brought before such triors they shall be fined for such contempt, unless they show a legal reason for their absence, not less than one dollar nor more than ten, in the discretion of the triors, or imprisonment in the barracks not less

Forsyth, Charter Amended.

than one nor more than ten days, or made to work on the streets of said city not less than one nor more than ten days.

Mayor's
vote and
veto.

SEC. 10. Be it enacted by the authority aforesaid, That for the transaction of all business except as otherwise provided in this Act, that four aldermen shall constitute a quorum and the vote of four aldermen shall decide any question which shall come before the mayor and aldermen. That the mayor shall have no vote except in case of a tie. He shall have the revision of all ordinances, bills, orders and resolutions passed by the mayor and aldermen, and the mayor shall have two days after the meeting at which the mayor and aldermen voted thereon in which to file with the clerk and treasurer in writing his dissent or veto, and the effect of such dissent or veto shall be to render said ordinance, bill, order or resolution of no effect unless overridden at the next regular meeting of the mayor and aldermen by a vote of five aldermen.

Street
work or
commuta-
tion tax.

SEC. 11. Be it further enacted by the authority aforesaid, That every male person between the ages of sixteen and fifty years of age, who has resided in said city thirty days, shall be liable and subject to work on the streets of said city not exceeding fifteen days in each year, at such time or times, as the mayor and aldermen may require, or to pay a commutation tax in lieu thereof not to exceed three dollars, as said mayor and aldermen may determine. Should any person liable to work the streets of said city under this section fail or refuse to do so or to pay the street tax assessed in lieu of such service, after having received notice so to do, as the mayor and aldermen may require, he shall be deemed guilty of a violation of this section, and upon conviction in the mayor's court shall be punished by a fine not exceeding twenty-five dollars, or imprisonment in the guard-house not more than thirty days, or by labor on the streets of said city not more than thirty days. Said mayor and aldermen may pass such ordinances as they may deem proper for the enforcement of this section.

Chain-
gang.

SEC. 12. Be it further enacted by the authority aforesaid, That said mayor and aldermen shall have the right to establish a chain-gang in said city; provide for the confinement of prisoners therein during the hours they are not engaged in labor; provide for their maintenance during the period of their confinement; provide for furnishing said prisoners with convict suits; employ guards and bosses, and generally provide for the proper government and control of said convicts; the employees of said city in charge of said convicts shall have the right to administer such reasonable discipline to such convicts as may be necessary to enforce proper obedience to the rules and regulations as may be established. The

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mayor and aldermen shall have the right to lease or hire such convicts as may be confined in the chain-gang of said city, under the provisions of this section to the county authorities of Monroe county, Georgia, and shall have the right to make such charge against said county for the hire or lease of said convicts as they may be able to agree upon; provided, however, that said convicts shall be kept and provided for by the county authorities in the same manner that the county convicts are kept and provided for.

SEC. 13. Be it further enacted by the authority aforesaid, That said mayor and aldermen shall have the authority to elect a city weigher, and to fix the compensation therefor, and to prescribe the duties therefor, and to levy a tax upon any business for the purpose of carrying this section into effect and to prescribe punishment for a violation of the same, and to pass any ordinance necessary to carry out and enforce same.

SEC. 14. Be it further enacted by the authority aforesaid, That said mayor and aldermen of said city shall elect, at the first regular meeting in January, 1903, and annually thereafter at the same time a mayor pro tem., whose duty it shall be to act as mayor in all cases in the absence or disqualification of the mayor, a chief of police, night watchman, street commissioner, if necessary, and such other officers as said mayor and aldermen shall decide on and deem necessary; and at the same time said mayor and aldermen shall fix the compensation of all officers and define their respective duties; that, at the same time said mayor and aldermen shall elect a treasurer, who shall also discharge the duties of clerk for said city and whose compensation shall not be less than two hundred dollars annually, and the said clerk and treasurer shall hold his office for two years or until his successor is elected and qualified, unless removed from office by said mayor and aldermen; said treasurer and clerk shall be required to give and execute a bond, with at least two good and solvent sureties, to be approved by the mayor and aldermen, in the sum of not less than five thousand dollars, said bond to be made payable to the mayor and aldermen of the city of Forsyth, and their successors in office, conditioned for the faithful performance and discharge of his duties, and such sureties thereon may be sued for any default in reference to the finances of said city made by the officer giving said bond, as soon as the default shall be ascertained, and recovery had thereon and enforced as upon judgments rendered by the courts of this State; and any officer of said city

who shall fail or refuse to pay over any funds in his hands belonging to said city shall be guilty of a misdemeanor, and upon conviction shall be punished as now required by the laws of this State; that said treasurer shall collect all bills, accounts, taxes due said city, and disburse them according to the discretion of the mayor and aldermen of said city. The mayor of said city, or the mayor and aldermen, may appoint special policemen to serve when, in his or their judgment, such appointment may be necessary, to be discharged when the emergency is passed, and to be compensated as the mayor and aldermen shall determine; and while such appointees are on duty they shall have the same authority in preserving order, and be charged with the same duties and entitled to the same protection as the chief of police.

Ad valorem tax.

SEC. 15. Be it further enacted by the authority aforesaid, That for the purpose of raising revenues to defray the ordinary current expenses incident to the proper support and maintenance of the city government, and the principal and interest on the bonded indebtedness of said city, said mayor and aldermen shall have full power and authority to levy and collect an *ad valorem* tax upon all property, both real and personal, in the corporate limits of said city, not to exceed one per centum per annum, except as provided by the laws and Constitution of Georgia.

Specific taxes.

SEC. 16. Be it further enacted by the authority aforesaid, That the mayor and aldermen of the said city of Forsyth shall have full power to license, regulate and control by ordinances all taverns, hotels, boarding-houses, cafés, restaurants, ice-cream saloons, livery stables, feed stables, sale stables and lots, hacks, drays and other vehicles, auctioneers, vendue masters, itinerant traders, theaters and theatrical performances, dummy or street railways, oil mills, cotton mills, ice works, laundries, shows, circuses and exhibitions of all kinds; itinerant lightning-rod dealers, immigrant agents, book agents, peddlers of clocks, stoves or machines or any kind of article of merchandise, itinerant venders of any and all kinds of goods, wares, merchandise or other things; billiard, pool and bagatelle tables kept for public play, every keeper of a shooting-gallery, tenpin-alley, upon the keeper of any kind of table, device, stand or place for balls, knives, sticks, rings or other contrivance, upon flying-horses or other similar contrivances, bicycles, velocipedes or skating-rinks, moter cycles, automobiles, locomobiles, insurance agents, life, fire, accident or other insurance companies; loan brokers or agents, banks and bankers, brokers and commission merchants of all kinds; dealers in futures of all kinds, whether cotton, stocks or grain or bonds; keepers of slaughter-

PART III.—TITLE 1.—MUNICIPAL CORPORATIONS.

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Forsyth. Charter Amended.

houses, beef markets, dealers in fish, vegetables, fruits, sausage, breads and all other articles of food; contractors, builders, mechanics or artisans; barber shops, junk-shops, pawnbrokers; warehouses of all kinds; jewelry, photographers or artists, bicycle repairers, street stands for the sale of any article of merchandise; dealers in guano or fertilizers of any kind; real estate agents, dealers in lumber, brick or building materials of any kind; dealers in buggies or wagons; newspapers; publications of any kind; blacksmith shops, carriage, buggy, wagon repair shops, wood repair shops; dealers in coal and wood; public scales, second-hand clothing, shoemakers or repairers, harness-makers or repairers, planing mills, grist or wheat mills, gun shops, dealers in guns or pistols, feather renovators, dealers in oil, undertakers, piano or organ tuner, tin shops, contractors of any kind, telephone, telegraph agents or companies, chiropodists, street drummers, bootblacks, express companies or agents, and upon all and every other business, calling or vocation not heretofore mentioned, and which under the law and Constitution of the State of Georgia are subject to license.

SEC. 17. Be it further enacted by the authority aforesaid, That ^{Tax-} ^{assessors.} at the first regular meeting of the mayor and aldermen in January, 1903, and every two years thereafter at the same time, the mayor and aldermen of said city shall elect three upright, discreet and intelligent persons, who shall be freeholders and residents of said city, as city tax-assessors, who shall hold office for two years or until their successors are elected and qualified. Should any vacancy occur on said board from any cause, or either should fail or refuse to perform the duties of said office or be removed therefrom, such vacancy shall be immediately filled by the mayor and aldermen; said mayor and aldermen shall be the judges of the necessity for removal or declaring a vacancy in said board of assessors; provided, there shall be no removal without investigation. Said assessors, before entering upon the discharge of their respective duties, shall take and subscribe before an officer authorized to administer oaths, the following oath: "We do solemnly swear that we will faithfully perform the duties of the office of tax-assessors for the city of Forsyth, and will make a just and true valuation of all property therein subject to taxation, according to its market value; so help us God."

SEC. 18. Be it enacted by the authority aforesaid, That the ^{Assess-} ^{ments and} ^{appeals.} valuation of all property subject to taxation shall be assessed by three assessors, who shall be authorized to accept the valuation placed thereon by parties in making returns to the receiver of

PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA,

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1905

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

WEDNESDAY, THE FOURTH DAY OF JANUARY, A. D. 1905

PUBLISHED BY AUTHORITY

RALEIGH

E. M. UZZELL & Co., STATE PRINTERS AND BINDERS

1905

Sec. 21. That whensoever any township or townships shall subscribe its or their bonds to the capital stock of this company the county taxes which shall be levied and collected upon property and franchises of the company in the county in which the township or townships is or are situated shall be applied to the payment of the interest on the said bonds, pro rata to the amount of the said interest, until the said bonds shall have been paid in full. And the corporate taxes on the property and franchise of said company levied and collected in and for any city or town subscribing to the capital stock of said company shall be applied to the payment of the interest on the said bonds subscribed by said city or town.

Railroad taxes in townships subscribing applied to bonds.

Corporate railroad taxes in cities or towns subscribing.

Sec. 22. That in addition to the powers herein granted, this company shall have all the powers and privileges as are granted to railroad companies in volume one, chapter forty-nine, of The Code, and all amendments thereof.

Powers under general law.

Sec. 23. That in all conventions of stockholders of said company such counties, townships, cities or towns as may subscribe to the capital stock shall be represented by one or more delegates, to be appointed for such purposes by the corporate authorities of such cities, towns or the county commissioners of the respective counties.

County and municipal stockholders to be represented.

Sec. 24. That the construction of this railroad shall be begun within five years from the date of this act.

Construction to begin within five years.

Sec. 25. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 27th day of February, A. D. 1905.

CHAPTER 188.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF PINE BLUFF, IN MOORE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants now or hereafter residing within the following boundaries, to-wit, on the west side the west line of the fruit farms of E. Vandermeersch and others, numbered one to fourteen, inclusive, as shown by a supplementary survey and map made by Francis Deaton in the year one thousand eight hundred and ninety-four, said line beginning at the southwest corner of fruit farm number six (6) and bearing north nineteen degrees twenty-six minutes east and extending to a point one hundred feet beyond the northwest corner of fruit farm number fourteen (14); thence south seventy degrees thirty-four minutes east to an inter-

Corporate limits.

section with Juniper Branch; thence with the courses of said Juniper Branch to its junction with Aberdeen Creek; thence southeast to the west line of the right-of-way of the Seaboard Air Line Railway; thence southerly with the west line of said right-of-way to a point due east of the mouth of Forked Creek at its junction with Aberdeen Creek; thence west to the mouth of said Forked Creek; thence with the courses of said Forked Creek and the South Fork of same to a point where the south line of fruit farm number six (6) extended easterly with a bearing of south seventy degrees thirty-four minutes east intersects said South Fork; thence westerly with said line to the southwest corner of said fruit farm number six (6), the point of beginning, shall be and remain a body politic and corporate under the name and style of the "Town of Pine Bluff," and under such name and style may sue and be sued, plead and be impleaded, acquire by gift, purchase, devise or in any other way such real estate and personal property as may be necessary, proper or useful in carrying out this act; may hold, invest, improve, use, govern, control and protect, and, under the hands of the mayor and two of the town commissioners, attested by the corporate seal, may sell and dispose of the same; and shall have all the powers, rights and privileges belonging to or usually vested in or pertaining to municipal corporations. And the said corporation shall continue to have and exercise all the powers and privileges conferred in an act of the General Assembly of North Carolina entitled "An act to incorporate the town of Pine Bluff," ratified on the sixth day of March, one thousand eight hundred and ninety-nine, and all subsequent acts supplementary thereto or amendatory thereof, not heretofore repealed or inconsistent with the provisions of this act.

Corporate name. Sec. 2. That the present government of said town shall continue as now constituted until successors to the present officials shall be elected and qualified as hereinafter provided, and all of the ordinances and by-laws theretofore adopted by said town shall remain in force until altered, amended or repealed.

Present officers continued.

Town elections. Sec. 3. That on Tuesday after the first Monday of May, one thousand nine hundred and five, and biennially thereafter, an election shall be held in said town, under the general laws of the State governing municipal elections, to choose a mayor and five commissioners, who shall be voted for on one ballot, which may be either written or printed, or partly written and partly printed, and which shall be of plain white paper, without device, three inches by five inches in size: *Provided*, any ballot on which the name of the same person appears more than once shall be deemed invalid and such ballot shall not be counted in making up the returns of the election.

Ballots.

Proviso: invalid ballots.

Term of office. Sec. 4. That the mayor and commissioners and other officials hereinafter provided for shall hold office until their successors are elected and qualified, and before entering upon the duties of their

office shall take and subscribe to an oath of office before a magis- Oath of office.
trate, as provided by the general law of the State, and such oaths
of office shall be filed with the town clerk as a part of the town
records.

SEC. 5. That the commissioners shall hold regular meetings at Meetings of com-
least once each month, in some public place, if possible. Special missioners.
meetings may be held on the call of the mayor or of the three com-
missioners. The mayor and all of the commissioners shall be noti- Special meetings.
fied of special meetings, except in cases of prolonged absence from
town, and no other business shall be transacted at a special meet-
ing until the particular business for which the meeting is called
shall be disposed of. A majority of the board of commissioners Quorum.
shall constitute a lawful quorum to do business. In the temporary
absence of the mayor the commissioners may elect one of their
number as mayor *pro tem.*, and such mayor *pro tem.*, with two Mayor pro tem.
other commissioners, shall constitute a lawful quorum to do busi-
ness. Neither the mayor nor the mayor *pro tem.* shall vote except
in case of a tie. In case of a vacancy in the office of mayor or Vacancies.
commissioner after election the commissioners shall fill the va-
cancy: *Provided*, that if from any cause the number of commis- *Also: clerk of*
sioners shall become reduced below the number necessary to a court to appoint.
quorum, the Clerk of the Superior Court of Moore County shall
have authority to appoint a sufficient number of commissioners to
make up a lawful quorum, who shall hold the said offices until the
next general election of commissioners.

SEC. 6. That the commissioners of said town shall have authority Powers of commis-
to pass all necessary by-laws and ordinances for the proper govern- sioners.
ment of the town, and to enforce the same by means of suitable
fines and penalties. Among the powers specifically conferred upon
the commissioners are the following: They may take necessary
steps to guard against the introduction and spread of infectious
and contagious diseases; to declare nuisances all domestic animals,
either running at large or confined in the town, and to prescribe
the conditions under which they may be kept, or to prohibit and
abate same totally; to prescribe conditions under which may be
established or conducted business enterprises of an offensive, dan-
gerous or unhealthful nature, or to prohibit same totally; to restrict
or prohibit the sale in town of cigarettes and cigarette paper and
of medicinal mixtures containing more than twenty per cent. of
alcohol; to prescribe conditions under which may be sold and used
fire-arms of all kinds, including toy guns and pistols and air-guns,
brass knuckles, loaded canes, dirks, bowie and other knives used
as weapons, ammunition and fire-works, not inconsistent with the
general laws of the State; to levy an annual license tax on dogs
owned or kept within the town not exceeding one dollar on males
and two dollars on females, and they may require the owners to
cause the dogs to wear a suitable tag or check to indicate the pay-
ment of the license tax; to govern the placing and maintenance of

ACTS

OF THE

One Hundred and Twenty-Ninth Legislature

OF THE

STATE OF NEW JERSEY

AND

Sixty-First Under the New Constitution.



PATERSON, N. J.:
NEWS PRINTING COMPANY, STATE PRINTERS.
1905.

CHAPTER 172.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Carrying
dangerous
weapon a
misdemean-
or.

Penalty.

Proviso.

1. Any person who shall carry any revolver, pistol or other deadly, offensive or dangerous weapon or firearm or any stiletto, dagger or razor or any knife with a blade five inches in length or over concealed in or about his clothes or person, shall be a guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not exceeding two hundred dollars or imprisonment at hard labor, not exceeding two years, or both; *provided, however,* that nothing in this act shall be construed to prevent any sheriff, deputy sheriff, police officer, constable, state detective, member of a legally organized detective agency or any other peace officer from carrying weapons in the discharge of his duty; nor shall this act apply to any person having a written permit to carry such weapon, firearm, stiletto, razor, dagger or knife, from the mayor of any city, borough or other municipality, having a mayor, or from the township committee or other governing body of any township or other municipality not having a mayor, which permits such officers and governing bodies are hereby authorized to grant; said permits shall be issued at the place of residence of the person obtaining the same, and when issued shall be in force in all parts of the state for a period of one year from date of issue, unless sooner revoked by the officer or body granting the same; *and provided further,* that nothing contained herein shall prevent any person from keeping or carrying about his or her place of business, dwelling house or premises any such weapon, firearm, stiletto, dagger, razor or knife, or from carrying the same from any place of purchase to his or her dwelling house, or

Proviso.

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place of business, or from his or her dwelling house or place of business to any place where repairing is done, to have the same repaired and returned; *and provided further*, that nothing in this act shall be construed to make it unlawful for any person to carry a gun, pistol, rifle or other firearm or knife in the woods or fields or upon the waters of this state for the purpose of hunting; a fee of twenty-five cents may be lawfully charged by such officer or body granting each such permit.

Provviso.

2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved April 18, 1905.

CHAPTER 173.

An Act to provide for the purchase by boards of chosen freeholders, of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The board of chosen freeholders of any county may agree with the owner or owners of any turnpike or toll road, or portion thereof lying within such county and being not less than one mile in length, which has been improved by the construction thereon of a macadam, telford, rubble or other stone road, upon the price to be paid for the same, and may by resolution agree to purchase the same for free public use at the price agreed upon, subject to the approval of the state commissioner of public roads, and upon receiving the approval of said commissioner in writing

Freeholders
may pur-
chase turn-
pike and
maintain
same as
county
road.

229-809-1500

LOCAL AND SPECIAL LAWS
OF
THE STATE OF TEXAS
PASSED AT THE
REGULAR SESSION
OF THE
THIRTY-FIRST LEGISLATURE

CONVENED AT THE

City of Austin, January 12, 1909

AND

Adjourned March 13, 1909



W. B. TOWNSEND, Secretary of State.

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all duties required of him by this charter, and such other duties as the commission shall prescribe.

SEC. 134. *Powers.*—Said assessor and collector is authorized to require the owner of property subject to taxation by said city to render a correct statement thereof, under oath, to be administered by him or his deputy, and said assessor and collector, as well as his deputy, are hereby expressly given the power to administer such oaths.

SEC. 135. *Deputy.*—Said assessor and collector is hereby authorized to appoint one or more deputies, with the consent of the commission, and the said deputy or deputies so appointed shall be paid for his services wholly by said assessor and collector, and not by the said city, unless the commission shall by resolution first declare that such salary of said deputy shall be paid from the city treasury; in the event of the appointment of a deputy or deputies by said assessor and collector, he shall give such bond and in such amount as shall be prescribed by the commission, in such form as they shall prescribe, and the act of such deputy or deputies shall be construed to be the act and deed of the said assessor and collector, and shall be as binding in all things done by them or either of them, as if done by the assessor and collector himself.

POLICE POWERS OF COMMISSION.

SEC. 136. The commission of the City of Marshall shall have the following expressed powers, to-wit:

(a) *Animals.*—The power to regulate, restrain and prohibit the running at large of horses, mules, cattle, sheep, swine, goats and all other animals, and to establish public pounds, and to authorize the distraining and impounding and sale of the same for the cost of proceedings and the penalty incurred, and to order their destruction when they can not be sold, and to impose penalties on the owners thereof, for violation of any ordinance relating thereto.

(b) *Butchers.*—The power to regulate butchers and all persons selling or offering for sale fresh meats, game or fish, and shall have power to first cause fresh meats, game or fish to be inspected, and charge the inspection fee therefor to the persons offering the said meats, game or fish for sale.

(c) *Bawdy Houses.*—Power to prohibit and punish keepers and inmates of bawdy houses, and variety shows, and to segregate and regulate the same, and to determine such inmates and keepers to be vagrants, and to provide for their punishment.

(d) *Bells—Whistles.*—Power to prohibit and regulate the ringing of bells and blowing of whistles of every kind and character within the limits of said city, and to punish therefor.

(e) *Buildings.*—Power to prescribe and regulate the height of buildings adjacent to or abutting on streets, squares or alleys, or parks or public places or grounds, and to prescribe the method and style of construction and location of said buildings, as well as all material to be used therein; to regulate and prohibit the erection, building, placing, moving or repairing of wooden buildings within such limits in said city as said commission shall designate or prescribe as fire limits and shall have power to regulate and prohibit the moving or building of any

wooden building from without said limits to within the same, and may also prohibit the moving of any wooden building within said limit from one place to another therein, and shall have the power to prescribe that all buildings to be constructed or repaired within said limits shall be constructed or repaired with fire proof material.

To prohibit the rebuilding or repair of wooden buildings within said fire limits, when the same shall have been damaged 20 per cent of the value thereof, and prescribe the manner of ascertaining such damage.

To declare all dilapidated buildings in said city to be nuisances, and to direct the same to be repaired, removed, or abated in such manner as shall be prescribed by said commission.

To declare all wooden buildings in the fire limits, which shall be dangerous to contiguous buildings, or in causing or promoting fires, to be nuisances, and power to require or cause the same to be removed and to prescribe the manner of removal.

To prescribe limits wherein fire proof roofing for buildings shall be used and to prohibit the use of other kinds of roofing therein, and enforce the same by proper ordinances, rules and regulations.

The said commission shall have the power to prohibit all persons from building or erecting or repairing any building within said city, without a property license therefor is first had and obtained, and shall have the power to prescribe that all persons applying for and accepting such permit or license shall be charged therefor a reasonable fee for said license so issued.

(f) *Cattle*.—Power to prevent, regulate and control the driving of cattle, horses, mules, sheep, goats and swine and all other animals into or through the said city, and may establish penalties therefor.

(g) *Cemeteries*.—Power to regulate and control cemeteries and burial grounds and to prohibit the burial of the dead within the limits of said city, if deemed for the public good or for the public health, and to close cemeteries and burial grounds in thickly settled portions of the said city, when demanded by the public interest or health, and to remove or cause to be removed all bodies interred in such cemeteries, and cause them to be interred in a suitable place.

Power to buy and acquire land within or without the limits of said city, to be used for cemeteries and burial grounds, to sell lots therein, and place the proceeds thereof in a fund to be invested in interest bearing securities, to be used in the care and beautifying of said cemeteries.

(h) *Dogs*.—Power to tax, regulate or restrain and prohibit the running at large of dogs, and to authorize their destruction when at large, contrary to ordinance, and to impose penalties on the owners or keepers thereof for violation of said ordinance.

(i) *Fires*.—Power to provide for the protection against and the extinguishment of fires and conflagrations, and may provide for the establishment, regulation, maintenance and support of one or more fire companies and fire departments, for the purpose of guarding against calamities of fire. To provide and maintain suitable fire apparatus for the extinguishment of fire and erection and building and acquisition of houses for fire stations and the housing of such apparatus, and to make all necessary rules, regulations and ordinances for the conduct of persons at

fires, as well as the duties of the firemen, and for the protection of all fire apparatus, buildings and fire companies and departments.

(j) *Fire Escapes*.—Power to make all reasonable and suitable regulations for all buildings now or hereafter erected in said city, except private residences, to be equipped with fire escapes of such material, style, design and in such manner as shall be provided by said commission by resolution or ordinance, such fire escapes to be so constructed at the expense of the owner or occupant of such building, and said commission shall have the power to close all places and buildings within said city which are not equipped with such fire escapes as shall be prescribed by said commission, and said commission shall have full power to enforce all ordinances relating to fire escapes, with proper penalty.

(k) *Fire Limits*.—Power to define and establish fire limits within said city, and to regulate and control the building, construction and repair of all buildings, and to prescribe the kinds of material to be used therein, and to provide that nothing shall be used therein in building or repairing save and except fire-proof material, and shall have full power to enforce such ordinances, rules and regulations relating to said limits or the buildings or repairs therein, by penalty. It shall be unlawful for the commission, or any officer of said city, to grant any permit or license to any person, firm or corporation to build, erect or construct any house or building within any fire limit now or hereafter established in said city, of other material than such as is prescribed by the ordinances establishing and governing such fire limit, and any such special permit or license so issued while such ordinances are in force and effect shall be null and void, and shall in no event be a defense for any prosecution for an infringement of the fire limit ordinances.

(l) *Food Inspection*.—Power to inspect and determine the mode of inspection of meat, fish, vegetables, beef, pork, flour, meal, salt, milk, oleomargarine, and all other provisions, whiskey and liquors, which are sold or offered for sale within said city, at either retail or wholesale, in either barrels, hogsheads, packages or other vessels; to appoint weighers and inspectors and prescribe their duties and regulate their compensation.

(m) *Gambling*.—Power to suppress and punish keepers of gambling houses, pool sellers, and all persons who play at cards or games of any kind, and power to punish for all offenses of gaming within said city.

(n) *Hacks, Drays*.—Power to license, tax, regulate and control hackmen, draymen, omnibus drivers, baggage wagon drivers, and drivers and owners of vehicles of every kind, and all others pursuing like occupations, with or without vehicles, and prescribing their compensation and make it misdemeanor for any person to attempt to defraud them of any legal charge for services rendered; to provide the rates of their charges, and to make it a misdemeanor to collect charges in excess thereof, to provide and regulate stands for all vehicles, and to prohibit the standing of such vehicles at other places and to regulate, license and restrain runners for railroads, vehicles of every kind, hotels, public houses of every kind, or other business of any kind.

(o) *Health*.—To pass all needful or necessary rules, regulations and ordinances, to protect the health of the inhabitants of said city, to provide for all scavenger work and service for said city, and to make and

enforce all necessary rules and regulations for and pertaining to the same, to prescribe the compensation and fee and charge for such scavenger work, and to provide penalties for all infraction of such rules and ordinances relating to scavenger work; to provide a penalty against any person who shall fail or refuse to keep his premises in good sanitary order and condition; to prohibit the burning or burial of dead animals or trash or filth within the city limits; to punish all persons depositing any dead animal or fowl within the limits of said city on any private or public property, road, street, alley, or sidewalk, and to punish all persons offending against the sanitary laws, rules and ordinances of said city. Said commission shall have power to authorize the destruction of clothing, bedding, furniture and buildings infected with the germs of any contagious or infectious disease, when deemed by the commission necessary for the public health, and to provide for payment for such property to the owner thereof.

(p) *Hospitals*.—Power to establish one or more hospitals within or without the limits of said city, and to provide for the maintenance and regulations thereof.

(q) *Inspection*.—Power to regulate and appoint inspectors for the inspection of every kind of food product or drink offered for sale within said city. Power to appoint and regulate inspectors for all animals on hoof or foot, the flesh of which shall be offered for sale within said city after slaughter, and to require such persons slaughtering said animals to pay a reasonable fee, and to require that all such animals shall be inspected and slaughtered in such place or places as shall be designated by said commission, or at the public slaughter pens or buildings.

(r) *Jails*.—To establish and regulate jails and workhouses within or without the limits of said city.

(s) *Manufactures*.—Power to regulate or prohibit and prevent the carrying on of work and manufactures that are dangerous in promoting or producing fires, and may prohibit the building of warehouses, cotton gins, compresses and cotton sheds and yards for storing of cotton and like combustible articles, or may restrict the same to such limits as are prescribed by ordinance, and may regulate and prevent the use of fireworks and firearms or the keeping and management thereof, and of houses and other structures for storing gunpowder, dynamite and other combustible or dangerous material or substance within the said city, and may regulate the keeping and conveying of the same.

(t) *Markets*.—Power to establish, lease, maintain, operate and regulate markets and market places, and slaughter pens, and to build, own and maintain buildings therefor. To pass all suitable rules and regulations governing markets and market places, and the vending of fresh meats and fish and game, as shall be deemed proper.

(u) *Nuisances*.—Power to define and determine nuisances and to punish therefor; to prohibit and restrain the rolling of hoops, flying of kites, firing of firecrackers, cannon crackers, Roman candles, and all kinds of fireworks, within the limits of said city; to prohibit the collection of persons on streets and sidewalks or streets. To regulate the firing or shooting of all fireworks and pyrotechnics.

(v) *Occupation—License*.—Power to license and tax all occupations,

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vocations and trades, professions or callings, which are licensed by the State of Texas or which are taxed by said State; provided, that no tax assessed on such occupation, trade, vocation, profession or calling shall be more than one-half the amount levied thereon by said State, and said commission shall have the power to prescribe penalties against all persons pursuing any occupation, vocation, trade, profession or calling so taxed, without having first paid the tax due, and secured a proper license therefor.

(w) *Riots.*—Power to prevent and suppress riots, affrays, noise, breach of the peace, assaults, disturbances or disorderly assembly in any public or private place within the limits of said city, and to provide punishment therefor; to prohibit and restrain the firing of guns, and pistols in the city limits, and to prohibit and restrain the carrying of pistols.

(x) *Racing.*—To prevent and prohibit and suppress horse racing, immoderate or careless riding or driving in the streets of said city, or in any public place therein, to suppress racing in the streets of said city by means of animals or vehicles.

(y) *Streets.*—To regulate the use of all streets, alleys, parks, squares, sidewalks and public grounds within said city, and to prevent and suppress all encroachments on said streets, sidewalks, alleys or parks or other public places, and to prevent and suppress all obstructions of every kind and character on the said streets, sidewalks, alleys, parks and other public grounds within said city.

(z) *Saloons.*—Power to close drinking saloons, dramshops and other public places where intoxicating liquors are sold or given away, and to close any theater or variety show when necessary or expedient; to make and enforce all needful regulations for saloons, dramshops and other places where intoxicating liquors are sold or given away. The said commission shall have the power to prescribe by ordinance that no intoxicating liquors shall be sold or given away within the corporate limits of the said city, in any certain prescribed district in said corporation in which there are more residences than business houses, said districts to be accurately defined by said ordinances.

Said commission shall have the power to cancel and forfeit any city license issued by said City of Marshall to the owner or proprietor of any saloon or other place where intoxicating liquors are sold, under such license, within the limits of said city upon conviction of the person owning such license, of any offense against the laws of Texas, or of the City of Marshall pertaining to such liquor business, or to the sale of liquor under such license, and after forfeiture of such license by said commission, no other license for the sale of spirituous, vinous or malt liquors shall be issued or sold by the said city unto such convicted person for the period of two years.

(aa) *Theaters.*—Power to permit, regulate or forbid theaters, balls, variety shows and other public amusements, and to suppress the same whenever the preservation of order, tranquility or public safety may require.

(bb) *Ticket Scalpers.*—To prevent and prohibit the sale by any other person than a duly authorized agent, of any non-transferable ticket, pass,

transfer or other contract for passage upon any railroad or street car, and may provide penalties therefor.

(cc) *Trees*.—Power to maintain and beautify the public grounds, parks and cemeteries belonging to said city or hereafter acquired by it, and to direct and regulate the planting and preserving of ornamental and shade trees in the streets, sidewalks and public grounds of said city.

(dd) *Slaughter Pens*.—Power to establish or lease one or more slaughter houses and slaughter pens within or without said city; to maintain and regulate the same, and may require all persons slaughtering animals to have the same inspected thereat, where the flesh thereof is to be offered for sale, or is sold in said city, and to require such persons to pay an inspection fee therefor, and to pay a reasonable fee for the privilege of slaughtering at such houses or pens and enforce all rules and regulations pertaining thereto passed by the commission by penal ordinance.

(ee) *Vagrants*.—Power to define who are vagrants, and to restrain and punish vagrants, mendicants, beggars and prostitutes.

(ff) *Warehouses*.—Power to regulate, locate and control warehouses, and to define the limits wherein they may be located, and to regulate the storing and storage of lumber, sash, doors, blinds and any and all kinds of goods, wares and merchandise.

(gg) *Weights*.—Power to provide for inspection and regulation of all weights and measures, public and private, according to lawful standards. To regulate the weight and quality of the bread to be sold or used in the city limits.

(hh) *Workhouse*.—Power to erect and establish one or more workhouses, or houses of correction within or without said city, make all needful regulations and rules therefor. In such workhouse or house of correction may be confined all vagrants, stragglers, idlers, suspicious and disorderly persons, who may be committed by the recorder; and any person who shall fail or refuse to pay the fine, penalty or costs imposed for any misdemeanor or breach of the peace or any breach of the laws or ordinances of the City of Marshall or the State of Texas may, instead of being committed to jail, be kept therein, subject to hard labor and confinement. Power to compel and force all offenders against any of the ordinances of the city, or of the laws of the State of Texas, found guilty in the corporation court of said city, and sentenced to pay a fine, who shall fail or refuse to pay such fine and all costs adjudged against him, to labor on the streets or alleys of the said city, or on any public work or improvement, under such rules and regulations as may be by ordinances prescribed.

(ii) *General*.—The commission shall have the power to enforce any and all of the above express powers conferred by penal ordinances, and in the grant of the above and foregoing expressed powers contained in this section, it is not intended that said enumeration of powers shall be exclusive, but the said commission shall have all the powers other than above stated, which is hereby expressly conferred under the general welfare clause, to pass such ordinances, rules and regulations and to prescribe all penalties necessary to enforce the same, that are necessary to carry out the grant of all the powers herein in this charter conferred or

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necessary to the peace and order, health and good government of said City of Marshall.

CORPORATION COURT.

SEC. 137. *Corporation Court.*—There is hereby created and established within the said City of Marshall a court to be known as "The Corporation Court of the City of Marshall," which shall have the criminal jurisdiction within the corporate limits of said city that a justice of the peace has under the general laws of Texas.

SEC. 138. *Jurisdiction.*—Said court shall have jurisdiction within the territorial limits of the said City of Marshall of all criminal cases arising under the ordinances of said city now in force or hereafter to be passed, and shall have jurisdiction concurrently with any justice of the peace of all criminal cases arising under the criminal laws of the State of Texas, in which the punishment is by fine only, and when the maximum of said fine shall not exceed \$200, and arising within the territorial limits of said city, but the said court shall not have jurisdiction of cases involving official misconduct under the State laws.

The recorder of said corporation court shall have the power, and it is here made his duty, that in cases of delinquent youths, described in the statutes as parties coming under the jurisdiction of juvenile courts, to have said youths brought before him, and where it appears to him that the said delinquent youth is under 17 years of age, and has no home, parent or guardian within the City of Marshall, or elsewhere, within the knowledge of the court, who is caring for or exercising control over said delinquent youth, to place said youth in the custody of the police, and direct that the same be transported, at the expense of the city, to the Texas Industrial School for Boys, now located at Winnsboro, Texas, or some other like institution, provided, however, that the recorder may use his discretion in passing this sentence upon the youth; and only when he believes that said youth will be benefited by such institution.

And provided, further, that this section, nor any other section of this act, or any other existing law of the State, shall not deprive the said recorder of the power of imposing and collecting the proper fines for violation of law by any of said youths or delinquent children.

SEC. 139. *Recorder.*—The commission shall select a suitable person, not of their number, to be recorder of said city, who shall hold his office for two years, and until his successor is selected and qualified, and whenever a vacancy in said office occurs, from any cause, the commission shall select another recorder to fill said place.

SEC. 140. *Recorder—Duties.*—It shall be the duty of the recorder, and he is hereby empowered to preside over said corporation court, to hear and determine all causes brought before him; to render the appropriate judgment and to enforce the same by proper writs and procedure. He shall have power to take recognizances, admit to bail, and forfeit recognizances and bail bonds under the rules and regulations that now govern the taking and forfeiting the same in justice courts by the general laws of Texas. He shall have power to preserve order and punish for contempt to the same extent and under the same circumstances as the county judge may punish for contempt of the county court.